

MEMORANDUM

DATE: October 2, 2003

TO: Planning and Zoning Board

FROM: Bruce D. Chatterton, AICP, Planning and Zoning Manager
Chris Barton, AICP, RLA, Principal Planner

BY: Sheryl Stolzenberg, Planner III

SUBJECT: PZ Case No. 6-T-03

Applicant: Broward County Office of Environmental Services

Request: Small Scale Land Use Amendment:
Amend the City of Fort Lauderdale Future Land Use Plan Map to change the designation of a site that is less than 10 acres from Employment Center land use to Office Park land use

PZ Case 6-T-03

Background:

Subsection 163.3187; Florida Statutes (FS) imposes a twice-yearly limitation to the number of times that a local comprehensive plan may be amended. This Subsection also identifies exceptions to those limits. Subsection 163.3187(1)(c) allows approval without regard to statutory limits for comprehensive plan amendments "directly related to proposed small scale development activities" and further defines conditions that must be met. (See **Exhibit 1**). The land use amendment proposed herein complies with the conditions of Subsection 163.3187(1) (c), FS.

The site is located at 301 NW 66th Street. It is bounded on the north by McNab Road and on the west by the CSX Railroad. It has a current land use designation of Employment Center and is zoned B-3.

The subject property, comprising approximately 5.68 acres, is owned by Broward County and contains facilities that are a part of the County's potable water system. The subject of the proposed amendment is shown on **Exhibit 2**. The facilities on the site have been providing service since 1981. At the time that the plat was recorded (February 2, 1982), the land use designation in unincorporated Broward County was "Industrial." Utility uses of this type were permitted at that time on lands with an Industrial designation according to the Broward County Plan, and such uses continue to be permitted on lands with Industrial designation in the Broward County Plan. The site was annexed by the City of Fort Lauderdale in 1986. This site and surrounding areas were designated with the "Employment Center" land use designation in 1989, as part of the County and city land use plan map updates. The Employment Center land use designation does not allow utility uses.

The existing utility facilities were "grandparented" because they had been in existence prior to the change in land use designation and have continuously operated. In 2000, the Broward County Office of Environmental Services (OES) converted its chlorination system to use a safer procedure. In doing so, OES demolished an existing building and built a new building. Construction of the

building to perform a use not permitted in the land use designation resulted in the issuance of a citation by the City of Fort Lauderdale Code Compliance Division and the need for the change in land use designation.

Analysis:

Staff review identified land use designations that permit utility uses. While the most obvious land use designation is the "Utilities" designation, that designation also permits solid waste disposal sites. A use of that nature at that location was not desirable, given the existing abutting mobile home park to the east. To achieve a greater compatibility of potential future uses with the surrounding area, County OES was advised to apply for a land use amendment to the "Office Park" designation. Office Park permits utility use, but specifically excludes sanitary landfills.

According to Subsection 9J-11.007, Florida Administrative Code (FAC), all proposed comprehensive plan amendments must be supported by data and analysis similar to that required for the original comprehensive plan. The analysis includes examination of potential impacts of the future land use designation on services such as potable water, sanitary sewer, roadway capacity, transit, drainage, solid waste management and parks. The analysis must also identify policies in the comprehensive plan with which the proposed change is consistent.

The consultant to Broward County OES submitted this analysis (contained in **Exhibit 3**). The analysis was reviewed through the staff Development Review Process and found to be in compliance with state law and consistent with the City of Fort Lauderdale Comprehensive Plan.

Staff Recommendation:

Recommend the proposed amendment to the City Commission.

**Planning and Zoning Board
as the Local Planning Agency:**

The Board shall consider a motion finding that the proposed amendment is consistent with the City of Fort Lauderdale Comprehensive Plan.

Planning and Zoning Board Review Options:

1. Recommend the proposed amendment to the City Commission, as proposed
2. Recommend the proposed amendment to the City Commission with revisions proposed by the Planning and Zoning Board
3. Recommend denial of the amendment